



Federal Communications Commission
Washington, D.C. 20554

May 10, 2016

DA 16-522

Small Entity Compliance Guide

Amendment of Sections 90.20(d) and 90.265 of the Commission's Rules to Facilitate the Use of Vehicular Repeater Units

Report and Order
FCC No. 15-103
PS Docket No. 13-229
Released August 10, 2015

This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the new rules adopted in the above-referenced FCC rulemaking docket. This Guide is not intended to replace the rules and, therefore, final authority rests solely with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. As a result, in any civil or administrative action against a small entity for a violation of a rule or rules, the content of the Small Entity Compliance Guide may be considered only as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. This Guide may, perhaps, not apply in a particular situation based upon the circumstances, and the FCC retains the discretion to adopt approaches on a case-by-case basis that may differ from this Guide, where appropriate. Any decisions regarding a particular small entity will be based on the statute and regulations.

In any civil or administrative action against a small entity for a violation of rules, the content of the Small Entity Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation; the FCC will consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC's approach to implementing a rule, or to clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC's Consumer Center:

1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 202-418-0232

Objectives of the Proceeding

Mobile repeater stations extend the range of hand-held radios by allowing them to transmit their signals to a more powerful vehicle radio, which then repeats the signals, on a different frequency to a base station. They also allow public safety vehicles to serve as ad hoc command centers, by allowing multiple hand-held units to use the vehicle repeater frequency as an on-scene tactical channel, especially in situations when there is inadequate coverage from the parent base station.

This Report and Order amended Part 90 of the Commission's rules to allow the licensing and operation of VRS and other mobile repeater stations on six VHF-band channels (also used for remote control and telemetry operations), providing public safety entities with six additional frequencies for VRS use.¹ In addition, given the interest demonstrated by Industrial/Business (I/B) licensees in using mobile repeaters on these frequencies, the rules amended by the Report and Order also allows entities that qualify for I/B licenses to apply for these frequencies.

Key Definitions

Mobile Repeater Station. A mobile station authorized to retransmit automatically on a mobile service frequency, communications to or from hand-carried transmitters.” 47 C.F.R. § 90.7. Vehicular repeater systems fall within this definition.

Steps a Small Entity Must Take to Comply With The Final Rules

Under the rules amended by the *Report and Order*, as of March 15, 2016, applicants for mobile repeater station authorizations must receive frequency coordination prior to filing a license application with the Commission.² Such frequency coordination is designed to ensure that these mobile repeater stations can operate without adversely affecting telemetry operations also authorized on the six designated frequencies. Any frequency coordinator can coordinate an application. A list of frequency coordinators can be found at http://wireless.fcc.gov/services/index.htm?job=licensing_3&id=industrial_business.

Recordkeeping and Other Compliance Requirements

While the preparation of an application for a mobile repeater license does not require the hiring of professionals, frequency coordinators – whose services will be required (as described immediately above) – do charge a fee.

Internet Links

https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-103A1.pdf

https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-165A1.pdf (Clarification Order)

https://apps.fcc.gov/edocs_public/attachmatch/DA-16-119A1.pdf (Frequency Coordination PN)

¹ The frequencies are 173.2375, 173.2625, 173.2875, 173.3125, 173.3375, and 173.3625 MHz.

² See Wireless Telecommunications Bureau And Public Safety And Homeland Security Bureau Announce They Will Begin Accepting Applications For The Operation Of Mobile Repeaters On Six Remote Control And Telemetry Channels In The VHF Band On March 15, 2016, *Public Notice*, 31 FCC Rcd 903 (WTB/PSHSB 2016).